

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

WILLIAM R. DIXON

Petitioner,

-v-

**WARDEN, Southern Ohio
Correctional Facility**

Respondent.

Case No. C-3:11-cv-150

**Judge Thomas M. Rose
Magistrate Judge Michael J. Newman**

**ENTRY AND ORDER OVERRULING DIXON'S OBJECTIONS (Doc. #20)
TO THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS (Doc. #19) IN ITS ENTIRETY;
DISMISSING DIXON'S PETITION FOR A WRIT OF HABEAS CORPUS
WITH PREJUDICE; DENYING LEAVE TO PROCEED IN FORMA
PAUPERIS; DENYING ANY REQUESTED CERTIFICATE OF
APPEALABILITY BECAUSE ANY APPEAL WOULD BE OBJECTIVELY
FRIVOLOUS; AND TERMINATING THIS CASE**

This matter comes before the Court pursuant to Petitioner William R. Dixon's ("Dixon's") Objections (doc. #20) to Magistrate Judge Michael J. Newman's Report and Recommendations (doc. #19). Upon review, the Magistrate Judge recommends that Dixon's Petition for a Writ of Habeas Corpus be dismissed with prejudice, that Dixon be denied a Certificate of Appealability and that Dixon be denied leave to appeal in forma pauperis.

Dixon, through a limited appearance by counsel, filed the Objections that are now before the Court. In the Objections, counsel indicated that Dixon wishes to file his own pro se supplemental objections. Magistrate Newman entered an Order advising Dixon that he does not have a right to be represented by counsel and simultaneously make pro se filings and further

advising Dixon to request an extension of time to file supplemental objections if he wished to do so. The period for filing objections has now expired and nothing further has been filed.

The time has run and the Warden has not submitted a response to Dixon's Objections. Dixon's Objections are, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Dixon's Objections to the Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and Recommendations is adopted in its entirety.

Dixon's Petition for a Writ of Habeas Corpus is dismissed with prejudice. Further, Dixon is denied a Certificate of Appealability and any requested leave to appeal in forma pauperis. Finally, the captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Eleventh Day of February, 2013.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
William R. Dixon at his last address of record